

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOHN ETHAN DAVIS and
MICHELLE MARIE DAVIS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOHN LOWERY,

Respondent-Appellant,

and

ESTERLENE MARIE DAVIS,

Respondent.

UNPUBLISHED
November 25, 2003

No. 243659
Wayne Circuit Court
Family Division
LC No. 73-190751

Before: Cooper, P.J., and Markey and Meter, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant has abandoned any challenge to the trial court's findings with respect to the statutory grounds by failing to argue the issue in his brief. *Yee v Shiawassee Co Bd of Comm'rs*, 251 Mich App 379, 406; 651 NW2d 756 (2002). In any event, the trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence established that, despite being involved in drug treatment, respondent-appellant continued to abuse illegal substances throughout the time the children were in foster care. Although respondent-appellant had a steady income, he did not provide for the children's needs and borrowed money to buy drugs.

Further, although respondent-appellant exercised his parenting time regularly and there appeared to be a bond between him and the children, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 364-365; 612 NW2d 407 (2000).

Affirmed.

/s/ Jessica R. Cooper
/s/ Jane E. Markey
/s/ Patrick M. Meter